

FILED

JUL 13 1998

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OKLAHOMA

DOROTHY A. EVANS, CLERK
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF OKLAHOMA

IN RE:)	
)	
MICHELLE D. KAHLER)	BKR NO. 98-00356-M
)	Chapter 7
)	
Debtor)	
)	
SEARS, ROEBUCK AND COMPANY)	
)	
)	
Plaintiff)	ADV. NO. 98-0124-M
)	
vs.)	
)	
MICHELLE D. KAHLER)	
)	
)	
Defendant)	

**JOURNAL ENTRY OF JUDGMENT DENYING
DISCHARGEABILITY OF DEBT BY DEFAULT**

This matter comes before this Court upon Motion of Plaintiff, SEARS, ROEBUCK AND COMPANY, for a default judgment in favor of Plaintiff and against Defendants, defendant, pursuant to Rule 7055 of the Federal Rules of Bankruptcy Procedure.

After examining the record, the Court finds and concludes that it has jurisdiction of the parties and the subject matter. The Court further finds that plaintiff timely filed its Complaint to Determine Dischargeability of Debt on April 23, 1998, and defendants were properly served with a copy of the Summons and Complaint on April 28, 1998 and that the Defendant had until May 28, 1998 to answer plaintiff's Complaint. The Court further finds that no answer has been served or filed as required by law or the Order of this Court. The

DOCKETED 743-28, 1998
Clerk, U.S. Bankruptcy Court
Northern District of Oklahoma

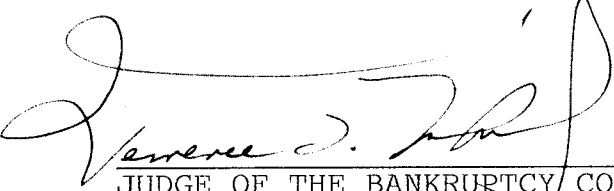
Court further finds that on July 9, 1998, SEARS, ROEBUCK AND COMPANY filed and served upon defendants its Motion for Default Judgment, that on said date default was entered by the Clerk of this Court and that no response to SEARS, ROEBUCK AND COMPANY 's Motion for Default Judgment has been served or filed by defendants as required by law. The Court further finds and concludes that the allegations of plaintiff's Complaint are deemed confessed and that the revolving charge account obligation of defendant to plaintiff as alleged plaintiff's Complaint is nondischargeable under 11 U.S.C. Section 523(a)(2) and that defendant is indebted to plaintiff for the sum of \$\$2,989.33, with interest thereon at the rate of 21% per annum.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the revolving charge account obligation of the defendant, MICHELLE D. KAHLER , to plaintiff, SEARS, ROEBUCK AND COMPANY , having a principal sum of \$\$2,989.33 all as alleged in plaintiff's Complaint to Determine Dischargeability of Debt is hereby declared nondischargeable under 11 U.S.C. Section 523(a)(2) at 21% (APR).

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff, SEARS, ROEBUCK AND COMPANY , have and recover judgment against Defendant, MICHELLE D. KAHLER , for the sum of \$\$2,989.33, with interest thereon at the rate of 21% per annum until paid.


DATED:

July 10, 1998



JUDGE OF THE BANKRUPTCY COURT

Approved for Entry:

A handwritten signature in black ink, appearing to read "Kurtis J. Johnson", written over a horizontal line.

Kurtis J. Johnson (OBA #17071)
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